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REJECTION OVER A PRIOR PATENT**

Docket Number (Optional)

31223-81765

In re Application of: James R. Butler, et al.

Application No.: 10/074,173

Filed: February 12, 2002

For: Dehydrogenation Process

The owner, Fina Technology, Inc., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,380,449. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

1. ☐ For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney or agent of record.

 02/20/2003  
Signature Date

William D. Jackson

Typed or printed name

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) included.

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\*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).  
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<small>FORM PTO-1595 (Rev. 6-93) OMB No. 0651-0011 (exp. 4/94)</small>		<b>RECORDATION FORM COVER SHEET PATENTS ONLY</b>		<small>U.S. DEPARTMENT OF COMMERCE Patent and Trademark Office</small>	
Tab settings: <span style="font-family: monospace;">-- -- --</span>					
<b>To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.</b>					
<b>1. Name of conveying party(ies):</b> <div style="margin-left: 40px;">James R. Butler</div> <div style="margin-left: 40px;">James T. Merrill</div> <div style="margin-left: 40px;">Adrian M. Jacobsen</div> <div style="margin-top: 10px;">                         Additional name(s) of conveying party(ies) attached?                          <input type="checkbox"/> Yes                          <input checked="" type="checkbox"/> No                     </div>			<b>2. Name and address of receiving party(ies):</b> <div style="margin-top: 10px;">                         Name: <u>Fina Technology, Inc.</u> </div> <div style="margin-top: 10px;">                         Internal Address: _____                     </div> <div style="margin-top: 10px;">                         Street Address: <u>15710 JFK Boulevard</u>  <u>(P.O. Box 674412, ZIP 77267-4412)</u> </div> <div style="margin-top: 10px;">                         City: <u>Houston</u> State: <u>TX</u> ZIP: <u>77032</u> </div> <div style="margin-top: 10px;">                         Additional name(s) &amp; address(es) attached?                          <input type="checkbox"/> Yes                          <input checked="" type="checkbox"/> No                     </div>		
<b>3. Nature of conveyance:</b> <div style="display: flex; justify-content: space-between;"> <div> <input checked="" type="checkbox"/> Assignment  <input type="checkbox"/> Security Agreement  <input type="checkbox"/> Other _____                         </div> <div> <input type="checkbox"/> Merger  <input type="checkbox"/> Change of Name                         </div> </div> <div style="margin-top: 10px;">                         Execution Date: <u>January 24, 2002</u> </div>			<b>4. Application number(s) or patent number(s):</b> <div style="margin-top: 10px;">                         If this document is being filed together with a new application, the execution date of the application is: <u>January 24, 2002</u> </div> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;">                         A. Patent Application No.(s) _____                     </div> <div style="width: 45%;">                         B. Patent No.(s) _____                     </div> </div> <div style="margin-top: 10px;">                         Additional numbers attached?                          <input type="checkbox"/> Yes                          <input checked="" type="checkbox"/> No                     </div>		
<b>5. Name and address of party to whom correspondence concerning document should be mailed:</b> <div style="margin-top: 10px;">                         Name: <u>David J. Alexander</u> </div> <div style="margin-top: 10px;">                         Internal Address: <u>Fina Technology, Inc.</u> </div> <div style="margin-top: 10px;">                         Street Address: <u>P.O. Box 674412</u> </div> <div style="margin-top: 10px;">                         City: <u>Houston</u> State: <u>TX</u> <u>77267-4412</u> </div>			<b>6. Total number of applications and patents involved:</b> <span style="border: 1px solid black; padding: 2px 5px;">1</span>		
			<b>7. Total fee (37 CFR 3.41) .....</b> \$ <u>40.00</u> <div style="margin-top: 10px;"> <input checked="" type="checkbox"/> Enclosed  <input type="checkbox"/> Authorized to be charged to deposit account                         </div>		
			<b>8. Deposit account number:</b> <div style="margin-top: 10px;">                         (Attach duplicate copy of this page if paying by deposit account)                     </div>		
<b>DO NOT USE THIS SPACE</b>					
<b>9. Statement and signature.</b> <i>To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of</i>					
<div style="margin-top: 20px;"> <u>William D. Jackson</u>                          Name of Person Signing                     </div>			<div style="margin-top: 20px;">                           Signature                     </div> <div style="margin-top: 10px;"> <u>Feb 12, 2002</u>                          Date                     </div>		
<b>Total number of pages including cover sheet, attachments, and document:</b> <span style="border: 1px solid black; padding: 2px 5px;">4</span>					

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(Form PTO-1595-Recordation Form Cover Sheet - page 1 of 3)

31223-81765  
(COS 810CIP)  
BUTLER/MERRILL/JACOBSEN

PATENT

### ASSIGNMENT

WHEREAS, we, James R. Butler, of Houston, Texas, James T. Merrill, of Katy, Texas, and Adrian M. Jacobsen, of Baton Rouge, Louisiana, have invented certain new and useful improvements which are described and claimed and for which a patent is sought on the invention, design, or discovery as set forth in the application for United States Letters Patent entitled DEHYDROGENATION PROCESS, the specification of which is attached hereto.

AND WHEREAS, Fina Technology, Inc., a corporation of the State of Delaware and having its principal offices at 15710 JFK Boulevard, Houston, Texas 77032 (mailing address P. O. Box 674412, Houston, TX 77267-4412) (hereinafter referred to as "ASSIGNEE"), is desirous of acquiring our entire right, title, and interest in and to the invention, the application, and any Letters Patent that may issue thereon;

NOW, THEREFORE, for and in consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, we do hereby sell, assign and transfer unto ASSIGNEE, its successors, assigns and legal representatives, the full and exclusive right, title and interest in and to said invention, application and all patents which may be granted therefor, and all divisions, reissues, substitutions, continuations, continuations-in-part and extensions thereof; and we hereby authorize and request the Commissioner of Patents to issue all patents for said invention, or patents resulting therefrom, insofar as our interests are concerned, to the ASSIGNEE of my entire right, title and interest.

We also hereby sell and assign to ASSIGNEE, its successors, assigns and legal representatives the full and exclusive rights, title and interest to the invention disclosed in said application throughout the world, including the right to file applications and obtain patents, utility models, industrial models and designs for said invention in its own name throughout the world including all rights of priority, all rights to publish cautionary notices reserving ownership of said invention and all rights to register said invention in appropriate registries; and we further agree to execute any and all powers of attorney, applications, assignments, declarations, affidavits, and any other papers in connection therewith necessary to perfect such rights, title and interest in ASSIGNEE, its successors, assigns and legal representatives.

We hereby further agree that we will communicate to ASSIGNEE, or to its successors, assigns and legal representatives, any facts known to us respecting any improvements; and, at the expense of ASSIGNEE, to testify in any legal proceedings, sign all lawful papers, execute all divisional, continuation, continuation-in-part, reissue and substitute applications, make all lawful

oaths, and generally do everything possible to vest title in ASSIGNEE and to aid ASSIGNEE, its successors, assigns and legal representatives to obtain and enforce proper protection for said invention in all countries.

IN WITNESS WHEREOF, I have hereunto set my hand this 24 day of January, 2002.

James R. Butler  
JAMES R. BUTLER

On this 24<sup>th</sup> day of January, 2002, before me personally appeared James R. Butler, known to me to be the person of the above name, who signed the foregoing instrument and acknowledged the same to be her own free act and deed.

Sharon E. Rauer  
Notary Public

SEAL

My Commission Expires: 11-16-02

IN WITNESS WHEREOF, I have hereunto set my hand this 24 day of January, 2002.

James T. Merrill  
JAMES T. MERRILL

On this 24<sup>th</sup> day of January, 2002, before me personally appeared James T. Merrill, known to me to be the person of the above name, who signed the foregoing instrument and acknowledged the same to be his own free act and deed.

Sharon E. Rauer  
Notary Public

SEAL

My Commission Expires: 11-16-02

IN WITNESS WHEREOF, I have hereunto set my hand this 8th day of FEBRUARY, 2002.

Adrian M. Jacobsen  
ADRIAN M. JACOBSEN

On this 8th day of February, 2002, before me personally appeared Adrian M. Jacobsen, known to me to be the person of the above name, who signed the foregoing instrument and acknowledged the same to be his own free act and deed.

Geary W. Wagnerspoek  
Notary Public

SEAL

My Commission Expires: 2/20/03